TRANSCRIPT OF RECORD

Supreme Court of the United States

OCTOBER TERM, 1931

No. 79

CHICAGO & EASTERN ILLINOIS R. R. CO.,
PETITIONER,

vs.

INDUSTRIAL COMMISSION OF ILLINOIS AND JOE THOMAS

ON WRIT OF CERTIORARI TO THE CIRCUIT COURT OF COOK COUNTY, STATE OF ILLINOIS

PETITION FOR CERTIORARI FILED MAY 11, 1931

CERTIORARI GRANTED OCTOBER 12, 1931

(35,881)

( )

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IN CIRCUIT COURT OF COOK COUNTY

General Number B-203,860

JOE THOMAS, Petitioner,

vs.

CHICAGO & EASTERN ILLINOIS R. R. Co., Respondent, and INDUSTRIAL COMMISSION OF ILLINOIS

PRÆCIPE UNDER WORKMEN'S COMPENSATION ACT—Filed July 28, 1930

The Clerk of said Court will issue a writ of certiorari in accordance with the provisions of the Workmen's Compensation Act, to the Industrial Commission of Illinois, directing said Commission to certify to this Court a transcript of the decision, award and other proceedings, rendered on the 8th day of July, A. D. 1930, for the sum of $18.00 per week for a period of 27 2/7 weeks, and $18.00 per week for a period of 94 1/12 weeks in the above entitled cause on or before the third Monday of August A. D. 1930, and the Clerk of the said Court will also issue a writ of scire facias in said cause to the aforesaid petitioner or applicant and make it returnable to the — Term of said Court, A. D. 1930.

Mail notice to:

Joe Thomas, 1614 Fifth Ave., Chicago Heights, Illinois.

J. W. Horwitz, Atty. for Joe Thomas, 10 So. La Salle St. Chicago, Illinois.

B. E. Cohen, Atty. for Joe Thomas, 10 So. La Salle St. Chicago, Illinois.

Industrial Commission of Illinois, 205 W. Wacker Drive, Chicago, Illinois.

Edward W. Rawlins, Attorney for Chicago & Eastern Illinois R. R. Co.

To Thomas O. Wallace, Clerk.

Chicago, July 28th, A. D. 1930.

Compared.

[File endorsement omitted.]

[fols. 5 & 6] IN CIRCUIT COURT OF COOK COUNTY

SCIRE FACIAS UNDER WORKMEN'S COMPENSATION ACT—Filed July 28, 1930

STATE OF ILLINOIS,
County of Cook, ss:

The People of the State of Illinois to the Sheriff of said County, Greeting:

Whereas, at a session of the Industrial Commission, held in the County of Cook and State of Illinois, to-wit: on the 8th day of July A. D. 1930, before the said Industrial Commission then sitting in the City of Chicago, in said County, a decision or award was rendered by said Commission in a certain action or proceeding then pending before said Industrial Commission against Chicago & Eastern Illinois R. R. Co. and in favor of Joe Thomas, we do therefore hereby command you that you summon the said Joe Thomas if he shall be found in your County, personally to be and appear before the said Circuit Court of Cook County, on the first day of the next term thereof, to be holden at the Court House, in the City of Chicago, in said Cook County, on the third Monday of August A. D. 1930, then and there to show cause, if any he have or can show, why the said decision or award should not be reversed and set aside; and further to do and receive what shall then and there be adjudged by our said Court in the premises.

And have you then and there this Writ, with your return thereon in what manner you shall have executed the same.

Witness, Thomas O. Wallace, Clerk of our said Court, and the Seal thereof, at Chicago, in said County, this 28th day of July, A. D. 1930.

Thomas O. Wallace, Clerk. (Seal.)

Compared.

[File endorsement omitted.]

[fol. 7] IN CIRCUIT COURT OF COOK COUNTY

WRIT OF CERTIORARI UNDER WORKMEN'S COMPENSATION ACT—Filed July 28, 1930

STATE OF ILLINOIS,
County of Cook, ss:

The People of the State of Illinois to Industrial Commission, Greeting:

Whereas, it has been represented to our Circuit Court of Cook County, by the Præcipe or Petition of Chicago & Eastern Illinois R. R. Co., filed in said Court, that on the 8th day of July, A. D. 1930, in a certain suit or proceeding, then pending before you, a decision or award has been rendered by you in favor of Joe Thomas and against said Chicago & Eastern Illinois R. R. Co. for $18.00 per week for a period of 27 2/7 weeks, and $18.00 per week for a period of 94 1/12 weeks;

And the said Chicago & Eastern Illinois R. R. Co. having filed a Præcipe or Petition for a Writ of Certiorari and we being willing that said cause should be brought before our said Circuit Court;

Do therefore command you that, without delay, you certify to our said Circuit Court of Cook County, a transcript of the decision or award and other proceedings had before you in said cause on or before the third Monday of August, A. D. 1930.

To the Sheriff of Said County, to execute and return in due form of law.

Witness, Thomas O. Wallace, Clerk of our said Circuit Court of Cook County, and the Seal of said Court, at Chicago, this 28th day of July, A. D. 1930.

Thomas O. Wallace, Clerk. (Seal.)

[File endorsement omitted.]

[fol. 8] And thereupon, on the same day, to-wit, on the 28th day of July, A. D. 1930, a certain Certificate of Mail-